



Bylaw Review Committee Meeting Minutes

November 17, 2021

Committee Members:

Eric Grund	Chair
Rachel Rivkind	Vice Chair
Thomas Coogan	Member
Joan Kuhn	Member
Fred Freeman	Member

Present: Eric Grund, Rachel Rivkind, Joan Kuhn, Fred Freeman, Town Manager Joe Colangelo, Lt. Nihan Hanover Police Department, Sgt. Kane, Hanover Police Department, Kurt Kelly, Deputy Superintendent Hanover DPW

Meeting called to order at 7pm by Eric Grund

First Discussion/Bylaw Proposal: Name changes in Bylaws (1) the words “Board of Selectmen”, “Board of Selectman”, “Board”, or “Selectmen”, when such terms reference the entire Board, with the term “Select Board”; (2) the term “Selectman” with “Select Board member” and (3) the term “Chairman” with the term “Chair”

Joe Colangelo: 3 considerations

1. Home Rule Petition to change pertinent language in the Town Manager Act, requires a 2/3rds vote at Town Meeting
2. Amend the Bylaws, requires a 50% + 1 vote of the Bylaw Review Committee
3. Zoning Bylaw wording will also need to be amended, requires a 2/3rds vote by the Zoning Bylaw Committee



Article at Town Meeting will be proposed as drafted and actual language changes would be made throughout the Bylaws text to reflect the adopted changes if approved at Town Meeting.

Rachel Rivkind: pointed out the differences between the SelectBoard, Selectboard, Select Board and sought clarification.

Joe Colangelo: any approved Bylaw changes approved by Town Meeting would have to be approved by the AG/legislature

Eric Grund: additionally, Chairman to Chair language change

Next step is for Eric Grund, Joe Colangelo, and Town Council to meet to discuss Bylaw and its language.

Second Bylaw Proposal Discussion: Jake Brakes

Joe Colangelo initiated the discussion by saying he's aware of some observations made and a few complaints regarding the noise made by Jake Brakes on large trucks in various area of Town.

Sgt. Kane: stated he familiarized himself with the issue, researched other towns that have Jake Brake Bylaws, and consulted with a member of the State Police Traffic Enforcement Team as well as Lt Nihan and Chief Sweeney.

Other towns use signage to restrict use of Jake/Air brakes on certain streets.

He found other towns that had violation penalties ranging from \$100-\$500 and one town's bylaw went so far as to discern decibel levels correlated to speed as acceptable standards.

He also stated there is no specific M.G.L Chapter 90 Law that prohibits the use of Jake Brakes and questioned if HPD could enforce a bylaw prohibiting Jake Brakes.

Lt. Nihan: stated the number of complaints is low and seem somewhat isolated to certain areas of town including Broadway and Center Street.

He stated a Police Officer would have to hear/witness the use of a Jake Brake to enforce anything.

He pointed out that decibel meters (cost \$200-\$800), required calibration, and HPD training would have a cost associated with them.



Lt Nihan stated after discussions with Chief Sweeney, and Sgt. Kane, it is the recommendation of the Hanover Police Department that we hold off on consideration of a Bylaw at this point and continue to monitor and measure the incidents and reports of Jake Brake use, perhaps revisiting the issue if it becomes more problematic.

Kurt Kelly: stated any Jake Brake restriction would not affect the Hanover DPW operations

Third Bylaw Proposal Discussion: Transfer Station Violations

Proposed language:

6-19 Recycling of Waste Materials (pg. 78-79 of bylaws)

Section 5.

Unauthorized disposal of waste by unpermitted or permitted users of the Transfer Station shall result in a fine of \$200 plus all costs associated with the clean-up and removal of the unauthorized waste

Lt. Nihan: suggested a soft honeymoon phase with clear signage to make residents aware of any rule enforcement plan

The idea is a permitted or non-permitted person knowingly and willfully disposes of material illegally they can be fined and charged with the cost of the clean up.

Transfer Station employee would be first contact with non-compliant resident, perhaps obtain License Plate number and notify HPD if uncooperative.

Rachel Rivkin: notes the draft does not say “per occurrence”. And further questions if permitted and non-permitted should be viewed differently.

Kurt Kelly: Transfer Station personnel have increased security and enforcement with a gate guard on duty. Therefore, unpermitted should not have access to the Transfer Station. Also states it’s not uncommon for items that require a fee to be disposed of are left at the Swap Shop.

Joan Kuhn: pointed out there is existing language in the Transfer Station Regulations found on the website, and we should consider any new language in that context.



Joe Colangelo: without a stand-alone bylaw, the Town cannot enforce unpermitted dumping within the Transfer Station grounds.

Eric Grund: asked if Town Council should be consulted

Lt. Nihan: stated an appeal of such a fine would go to District Court. He also suggests very clear signage alerting the residents of the regulations.

HPD and DPW support the Bylaw and the review process move forward.

Next step is for Eric Grund, Joe Colangelo, and Town Council to meet to discuss Bylaw and its language.

Other business:

Eric Grund: working with Steve Ryerson on improving the input form to be more accessible to everyone.

It was suggested the next meeting be 7pm on December 15th. All agreed.

Joe Colangelo mentioned that there has been some discussion on the possibility of a bylaw allowing a period of time from Board Member election to leaving office to allow for staged transfer of responsibilities and tasks. Research will be conducted if a similar Bylaw exists in other Towns.

Joe Colangelo: suggested we consider the Town Clerk's Bylaw Proposal to adjust TM to Election time frame. That will be added to the agenda.

Joan Kuhn: suggested we investigate if the State will allow such a change.

Motion made to adjourn, seconded, unanimous